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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,253	12/21/2001	Thomas N. Turba	RA5407 (33012/325/101)	2115

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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 04/21/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

pre

Office Action Summary

Application No.

10/028,253

Applicant(s)

TURBA ET AL.

Examiner

Neveen Abel-Jalil

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested:

Step to access native scrip in a legacy database management system using XML message.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al. (U.S. Patent No. 6,466,971 B1).

As to claim 1, Humpleman et al. discloses an a data processing system including a legacy data base management system having a command language coupled to a publically accessible digital data communication network, the improvement comprising:

- a. a user terminal coupled to said legacy data base management system via said publically accessible digital data communication network (See column 26, liens 8-14);

b. a service request generated by said user terminal transferred to said legacy data base management system for honoring (See column 7, lines 1-36, and see column 16, lines 36-67);
and

c. a facility responsively coupled to said legacy data base management system which inserts a call to native script into said service request (See column 29, lines 1-11, also see column 14, lines 41-67).

As to claim 2, Humpleman et al. discloses wherein said native script further comprises said command language (See column 11, lines 40-67, and see column 12, lines 34-67).

As to claim 3, Humpleman et al. discloses wherein said service request further comprises an XML message (See column 13, lines 42-67).

As to claims 4, 8, and 13, Humpleman et al. comprising storing said native script in a repository located within said legacy data base management system (See column 26, lines 40-67, and see column 25, lines 53-62).

As to claims 5, 10, 15, and 19, Humpleman et al. discloses wherein said publically accessible digital data communication network further comprises the Internet (See column 26, lines 8-14).

As to claim 6, Humpleman et al. discloses an apparatus comprising:

- a. a publically accessible digital data communication network (See column 26, liens 8-14);
- b. a database management system having an internal format different from XML responsively coupled to said publically accessible digital data communication network (See column 7, lines 1-36, and see column 16, lines 36-67);
- c. an XML message transferred to said data base management system via said publically accessible digital data communication network (See column 26, lines 8-48);
- d. a converter which translates said XML message into said internal format (See column 25, lines 41-52); and
- e. a module which embeds native script into a service responding to said XML message translated into said internal format (See column 26, lines 40-67).

As to claims 7, and 14, Humpleman et al. discloses wherein said native script further comprises said internal format (See column 25, lines 31-67).

As to claim 9, Humpleman et al. discloses comprising a response produced by said legacy data base management system (See column 7, lines 1-36, and see column 16, lines 36-67).

As to claim 11, Humpleman et al. discloses a method of supplying an input to a legacy data base management system having an internal format comprising:

- a. transferring an XML document to said legacy data base management system via a publically accessible digital data communication network (See column 13, lines 34-67);

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- b. converting said XML document into said internal format (See column 26, lines 33-67);
- c. embedding native script into a service responding to said converted XML document
(See column 25, lines 31-67, also see column 26, lines 15-67); and
- d. presenting said converted XML document to said legacy data base management system
(See column 25, lines 31-67, also see column 26, lines 15-67).

As to claim 12, Humpleman et al. discloses wherein said converting step includes use of a Document Type Definition corresponding to said XML document (See column 21, lines 1-20).

As to claim 16, Humpleman et al. discloses an apparatus comprising:

- a. means for transmitting an XML document via a publically accessible digital data communication network (See column 13, lines 34-67);
- b. means responsively coupled to said transmitting means for providing legacy data base management having an internal format (See column 7, lines 1-36, and see column 16, lines 36-67);
- c. means responsively coupled to said providing means for converting said XML document into said internal format (See column 26, lines 33-67); and
- d. means responsively coupled to the component builder for embedding a call to native script into a service for said legacy data base management system (See column 25, lines 5-52).

As to claim 17, Humpleman et al. discloses wherein said providing means further comprises a repository (See column 21, lines 3-61).

As to claim 18, Humpleman et al. discloses further comprising means for defining a format of said native service (See column 27, lines 1-55, and see column 25, lines 53-67).

As to claim 20, Humpleman et al. discloses wherein said storing means stores said defining means for future use (See column 20, lines 31-67, wherein "future use" reads on "rules").

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Skeen et al. (U.S. Pub. No. 2003/0088543 A1) teaches converting native script into VCML™-based XML format.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:00AM-4: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
April 19, 2004

Charles Rones
CHARLES RONES
PRIMARY EXAMINER